

[The Lawrence Journal-World, May 27, 2005]

# FEDERAL JUDGE VANBEBBER DIES AT 73

RULINGS INCLUDED OKC BOMB CASE, SOUTH LAWRENCE TRAFFICWAY, PHELPS

U.S. District Court Judge G. Thomas VanBebber died Thursday. He was 73.

"He was an indomitable spirit . . . a wonderful judge," said Steve McAllister, dean of the Kansas University School of Law.

VanBebber, who lived in Overland Park, called in sick Wednesday.

"He died peacefully in his sleep, sometime between 6 and 6:30 a.m.," said Ralph DeLoach, clerk/administrator for the U.S. District Court of Kansas.

"He was respected not only by his peers, but by all court staff who worked for him—highly respected," DeLoach said.

VanBebber was perhaps best known for sentencing Michael Fortier, a key witness for the prosecution in the Oklahoma City bombing trial that led to convictions of Timothy McVeigh and Terry Nichols.

Fortier admitted knowing about the plot to bomb the Alfred P. Murrah Federal Building and choosing not to warn authorities.

VanBebber sentenced Fortier to 12 years in prison and ordered him to pay \$200,000 in fines.

Fortier's attorneys appealed the sentence, arguing it was excessive given his cooperation with prosecutors. A federal appeals court upheld the sentence.

Other VanBebber rulings:

1997—Issued an injunction halting work on the proposed South Lawrence Trafficway until after completion of an environmental impact statement.

1999—Denied the Rev. Fred Phelps' attempt to sue Shawnee County Dist. Atty. Joan Hamilton for allegedly prosecuting him in an attempt to limit his anti-homosexual picketing.

2004—Denied an attempt to force Washburn University to remove a statue from campus that some considered anti-Catholic.

The sculpture, entitled "Holier Than Thou," depicted a scowling, heavyset clergyman wearing ceremonial headgear that some said was shaped like a penis.

"The court cannot conclude that a reasonable observer would perceive the university's display of 'Holier Than Thou' as an attack on Catholics," VanBebber wrote in his ruling.

VanBebber grew up in Troy, Kan. (population 1,000). He earned a bachelor's degree from Kansas University in 1953; a law degree in 1955. In 2001, he received the KU Law Society's distinguished alumnus award.

He practiced law in Troy until 1959, when he became an assistant U.S. attorney. He returned to private practice in Troy in 1961, serving as Doniphan County attorney from 1963 to 1969. He was elected to the Kansas House, serving one term from 1973 to 1975.

He served on the Kansas Corporation Commission, from 1975 to 1979.

VanBebber was appointed a federal magistrate in 1982. Seven years later, he was appointed to the federal bench by President George H. W. Bush.

He served as chief judge from 1995 to 2000, assuming senior judge status on Dec. 31, 2000.

"He was a wonderful judge and an even better person," said U.S. Chief Judge John W. Lungstrum, who lives in Lawrence.

"He was a great student of history and literature," he said. "He had a tendency to relate to anecdotes and people he knew while growing up in Troy—I say that not to imply that he was homespun in character; I say it because he related to small-town values in a way that brought a lot of wisdom and common sense to the bench. He was truly brilliant."

Lungstrum succeeded VanBebber as the federal court's chief judge in Kansas.

As a child, VanBebber contracted polio and often relied on crutches and, in recent years, a wheelchair.

"He was in pain every day, but he never let on that there was a problem," Lungstrum said. "His courage and stoicism were tremendously inspirational to the court."

VanBebber is survived by his wife, Alleen, an attorney.

## CONFERENCE ON THE DEEPENING CRISIS FOR HAITIANS

### HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 7, 2005*

Mr. ENGEL. Mr. Speaker, I rise to express my support for an important conference taking place today—the Conference on the Deepening Crisis for Haitians. This conference will bring together members of the Haitian American community, the academic sector, non-governmental organizations, and representatives from the U.S. and Haitian governments to discuss key issues facing Haitians.

While Haiti has recently celebrated more than 200 years of independence from French colonial rule, the citizens of the island remain vulnerable to poverty, poor health, and political chaos. Tumultuous events in the past year and a half consisted of violent uprisings, the departure of President Jean-Bertrand Aristide, massive floods in May displacing tens of thousands, and Tropical Storm Jeanne in September leading to more than 3,000 deaths in the ensuing floods. Sadly, Haiti has not been able to recover from these recent disasters and many Haitians are living in terrible conditions. This is why I have urged Homeland Security Secretary Michael Chertoff to grant Temporary Protected Status to Haitian nationals living in the United States. With thousands of people killed in the natural disasters and hundreds of thousands left homeless, Haiti is temporarily unable to handle the return of nationals. Haitians already in the U.S. should be allowed to remain in peace and security in the U.S. while the island recovers.

Today, the Organization of American States General Assembly is meeting in Fort Lauderdale, Florida. The Organization's Secretary General, Jose Miguel Insulza, has pledged to raise the subject of Haiti at the OAS during the session. While this is a welcome sign, it is the least of what will be needed if Haiti is to emerge from its deepening crisis. The international community and the United States must get serious about finding a way out of the expanding abyss so that Haiti can once again move forward.

We all would like to see a brighter future for Haiti, and I hope this conference will serve to explore many views. Respect for human rights, freedom, and the rule of law must be established in the poorest nation in our hemisphere. Our Haitian constituents and their relatives are counting on us to help bring Haiti out of its volatile situation. I am pleased to support the Conference on the Deepening Crisis for Haitians, and I commend the Conference for hosting this dialogue.

A TRIBUTE TO ELIZABETH J. COLEMAN, EXECUTIVE DIRECTOR AND GENERAL COUNSEL OF THE NEW YORK STATE TRIAL LAWYERS ASSOCIATION

### HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 7, 2005*

Mr. NADLER. Mr. Speaker, I rise today to honor Elizabeth J. Coleman, who has dedicated her life to the fight for civil rights, and has broken down numerous barriers along the way. Ms. Coleman's legal career has focused on ensuring access for all Americans to a fair and unbiased justice system, one through which they can realize the entirety of their constitutional rights. This principle has guided her throughout her years of service, from work on behalf of indigent consumers in Georgia to her national work for the Anti-Defamation League, and most recently during her stint at the New York State Trial Lawyers Association (NYSTLA), where she was an outstanding Executive Director and General Counsel.

Ms. Coleman has also held many additional posts and has been involved in many endeavors over the years. She was elected Chair of the Board of the National Women's Law Center in 1996 and served in that capacity until 2003. President Clinton appointed Ms. Coleman Vice-Chair of the President's Export Council in 1994 and a United States Delegate to the United Nations Fourth World Conference on Women in Beijing, China, in 1995. More recently, the National Organization for Women's New York City chapter honored her in 2003 as a Woman of Power and Courage. Last year she was honored by New York Women's Agenda as a STAR, an honor bestowed upon women who represent the spirit of New York, provide leadership in business and in the community, and are role models for other women. I can think of no more worthy recipient of such recognition than Ms. Coleman.

As Elizabeth Coleman leaves NYSTLA, she embarks on a new mission, but one with the same goals in mind. She will continue her advocacy for civil and social justice through foundation work and community organizing. As she begins the next chapter of her life, I thank her wholeheartedly for her tireless work, and I wish her the very best in the years to come.

## HONORING MAYOR EULINE BROCK

### HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 7, 2005*

Mr. BURGESS. Mr. Speaker, I rise today to honor the service and commitment of Mayor Euline Brock. Ms. Brock has established herself as a leader and true servant to my hometown Denton, Texas.

Mayor Brock was recently presented the William J. Pitstick Regional Cooperation Award from the North Central Texas Council of Governments. The award recognizes individuals who have promoted good, strong leadership and spirit of regionalism in solving multi-jurisdictional problems.

Since first elected Denton's mayor in 2000, Mayor Brock has become a lead spokesman